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U.S. Department of Justice

United States Attorney
Southern District of New York

The Jacob K. Javits Federal Building
26 Federal Plaza, 37th Floor
New York, New York 10278

February 19, 2025

BY ECF

The Honorable Victor Marrero
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: *United States v. Brian Johnson*, 19 Cr. 316 (VM)

Dear Judge Marrero:

The Government respectfully submits this letter motion seeking to dismiss the pending Violation of Probation Report dated August 16, 2024 against defendant Brian Johnson and terminate these proceedings. All ten Specifications set forth in the violation report relate to a November 2023 incident for which the defendant was charged in state court with attempting to cash, along with two other people, five counterfeit checks totaling \$6,775.14. Apart from this alleged violation, the defendant otherwise completed five years of supervision without incident.

The state court case underlying the violation has since been dismissed, and the Government has determined based on the totality of the circumstances that it does not intend to proceed to a hearing with respect to the violations in the absence of a state court conviction. The Probation Office concurs in that decision. Accordingly, the Government respectfully requests that the Violation of Probation proceeding be dismissed and the upcoming February 21, 2025 status conference be canceled. Because the defendant's five-year term of probation expired in October 2024 (with this court's jurisdiction extended only by reason of the pending violation), the conclusion of these violation proceedings also terminates the defendant's continued supervision as a bail condition and results in the successful discharge of the defendant's probation.

Request GRANTED.

The Court hereby grants the Government's request to dismiss the pending Violation of Probation Report dated August, 16, 2024, against defendant Brian Johnson and terminate these proceedings. Accordingly, the proceeding scheduled for February 21, 2025, is canceled.

SO ORDERED.

21 February 2025

DATE


VICTOR MARRERO, U.S.D.J.

Respectfully submitted,

MATTHEW PODOLSKY
Assistant United States Attorney



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Assistant United States Attorney

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cc: Christopher Flood, Esq.
Probation Officer Alexandria Hirsch (by email)